

Application No. 410/699,425
Amendment dated October 14, 2005
Reply to Office Action of April 14, 2005

REMARKS/ARGUMENTS

Responsive to the Official Action mailed April 14, 2005, applicants have amended the claims of their application in an earnest effort to place this case in condition for allowance. Specifically, claim 7 has been cancelled, independent claims 1, 4, and 5 amended, and new claims 8-14 added. Reconsideration is respectfully requested.

In accordance with the Examiner's comments, the Abstract has been revised.

In the Action, the Examiner rejected the pending claims for double patenting. However, because the present application is not owned by the same entity as either U.S. Patent No. 6,716,805, or application No. 10/737,129. It is therefore believed that the double patenting rejections can be withdrawn.

In the Action, the Examiner rejected the pending claims under 35 U.S.C. §112, noting certain claim language. In this regard, the pending claims have been revised to make reference to "an associated water source", thus clarifying the present nonwoven wipe construct is intended for use with a separate water source, such as in a sink, bucket, or the like. In connection with claim 3, it is noted that the preferred use of a cationic disinfecting solution, such as a cationic dual quaternary sanitizing system, is disclosed at page 3 of applicants' specification. It is, therefore, believed that the rejection under 35 U.S.C. §112 can be withdrawn.

In rejecting the pending claims under 35 U.S.C. §102 and §103, the Examiner has relied upon U.S. Patent No. 4,678,704, to Fellows. However, it is respectfully submitted that this reference neither teaches nor suggests the present invention, and accordingly, the Examiner's rejections are respectfully traversed.

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As discussed in the Specification, the present invention is directed to a novel "hard surface" nonwoven wipe, provided in dry form, for use with an associated water source. Notably, the nonwoven substrate from which the present wipe is formed is treated with an at least partially *non-ionic binder*, which desirably exhibits a *low affinity for a cationic disinfecting solution*. In one embodiment of the invention, the cationic disinfectant agent is provided on the nonwoven wipe itself, while in an alternative embodiment, the cationic disinfectant agent is provided separately, such as by introduction into the associated water source. In one form, the nonwoven substrate from which the wipe is formed is treated with a non-ionic binder, while in an alternative embodiment, the wipe is treated with a mixture of non-ionic and cationic binders.

The nonwoven substrate of the present nonwoven wipe can be varied in keeping with the principles of the present invention. In one embodiment, the nonwoven substrate comprises carded and cross-lapped staple length fibers. In an alternative embodiment, the wipe is provided in a laminate form, comprising a layer of spunbond nonwoven fabric, and an associated nonwoven fabric layer of staple length fibers.

Significantly, the Fellows patent has *no teachings* of employing a non-ionic binder (or a mixture of non-ionic and cationic binders) in cooperation with a cationic disinfectant agent, whether provided on the fibrous substrate of the wipe itself, or separately, such as via the associated water source. Rather, Fellows is specifically limited in its teachings to the provision of an *anionic indicator dye*, in combination with a cationic component. The associated fabric substrate is provided with an active cationic impregnant. As discussed at column 1, line 41 et seq., Fellows contemplates:

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The dye bonds to the further cationic component more readily than to the substrate and that the further cationic component competes with the impregnant for bonding to the dye.

By this arrangement, Fellows contemplates:

What we now propose is an indicator whose end-point will reliably occur whilst there is an effective proportion of active chemical or composition remaining in the substrate (column 1, lines 32-35).

Thus, the Fellows patent contemplates the provision of an indicator dye that is released from the fabric to indicate that whatever has been placed on the fabric (i.e., an anti-microbial), has been spent or depleted from the fabric.

In contrast, the present invention does not incorporate any dyes to signal exhaustion of a cleaning agent. Rather, the present invention is directed to a nonwoven wipe construct that is coated with a non-ionic binder (or non-ionic/cationic binder mixture) so that the nonwoven fabric will *readily release* a cationic, preferably dual quaternary disinfectant agent, either directly onto a surface, or into an associated water source. Desirably, this permits only *minimal amounts* of the associated disinfectant agent to be required when practicing the present invention.

Thus, it is believed that the rejections based on the Fellows patent should be withdrawn.

It is noted that the references cited by the Examiner in connection with the double patenting rejections neither teach nor suggest the present invention, as claimed. The common disclosure of these references contemplate a construct of a completely different nature, in particular, the application of a no-rinse composition to a hard surface to minimize build-up of dirt. It is believed that these references clearly do not teach or suggest applicants' novel nonwoven wipe construct, as claimed, nor the method of cleaning a surface, as set forth in applicants' newly added claims.

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In view of the foregoing, formal allowance of claims 1-6 and 8-14 is believed to be in order and is respectfully solicited. Should the Examiner wish to speak with applicants' attorneys, they may be reached at the number indicated below.

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this submission to Deposit Account No. 23-0785.

Respectfully submitted,

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I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **October 14, 2005**.

